

UNITED STATES DISTRICT COURT

District of

Massachusetts

FILED
CLERK'S OFFICE

2005 FEB -7 P 2:21

ELAINE CHAO, Secretary of Labor,
U.S. Department of Labor

V.

David J. Howe, Landscape Design, Inc.
and Lanscape Design, Inc. Profit Sharing
Plan

SUMMONS IN A CIVIL ACTION

U.S. DISTRICT COURT
DISTRICT OF MASS.

CASE NUMBER:

04-12140 MEL

TO: (Name and address of Defendant)

Landscape Design, Incorporated
c/o David J. Howe
12 Stewart Street
Sudbury, Massachusetts 01776

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Attorney Ivelisse Berio Lebeau
Office of the Regional Solicitor
JFK Federal Building - Room E-375
Boston, Massachusetts 02203

an answer to the complaint which is served on you with this summons, within 30 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.


TONY ANASTAS

CLERK

(By) DEPUTY CLERK



AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE February 2nd, 2005	
NAME OF SERVER (PRINT) Steve Kalil	TITLE Constable and Disinterested Person	
<i>Check one box below to indicate appropriate method of service</i>		
<p><input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: 22 Union Avenue, Ste. 9, in said Sudbury, Massachusetts.</p> <p><input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.</p> <p style="padding-left: 20px;">Name of person with whom the summons and complaint were left:</p> <p><input type="checkbox"/> Returned unexecuted:</p> <p><input type="checkbox"/> Other (specify):</p>		
STATEMENT OF SERVICE FEES		
TRAVEL \$15.00***	SERVICES \$35.00***	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>February 2nd, 2005</u> <u></u></p> <p style="text-align: center;">Date Signature of Server</p> <p style="text-align: center;">Steve Kalil, Constable and Disinterested Person</p> <p style="text-align: center; margin-top: 20px;"><u>47 Harvard Street, Worcester, MA 01609</u></p> <p style="text-align: center;">Address of Server</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.